

By: West

S.B. No. 718

A BILL TO BE ENTITLED

AN ACT

relating to voluntary and involuntary mental health services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 572, Health and Safety Code, is amended to read as follows:

CHAPTER 572. VOLUNTARY [~~INPATIENT~~] MENTAL HEALTH SERVICES

SECTION 2. Section 572.001, Health and Safety Code, is amended by amending Subsections (a), (c), and (d) and adding Subsections (a-1) and (c-1) to read as follows:

(a) A person 16 years of age or older [~~or a person younger than 16 years of age who is or has been married~~] may request admission to an inpatient mental health facility or for outpatient mental health services by filing a request with the administrator of the facility where [~~to which~~] admission or outpatient treatment is requested. The parent, managing conservator, or guardian of a person younger than 18 years of age [~~who is not and has not been married~~] may request the admission of the person to an inpatient mental health facility or for outpatient mental health services by filing a request with the administrator of the facility where [~~to which~~] admission or outpatient treatment is requested.

(a-1) Except as provided by Subsection (c), an inpatient mental health facility or provider of outpatient mental health services may admit or provide services to a person older than 16 years of age and younger than 18 years of age if the person's

1 parent, managing conservator, or guardian consents to the admission
2 or services, even if the person does not consent to the admission or
3 services.

4 (c) A person or agency appointed as the guardian or a
5 managing conservator of a person younger than 18 years of age and
6 acting as an employee or agent of the state or a political
7 subdivision of the state may request admission of the person
8 younger than 18 years of age only with the person's consent. If the
9 person does not consent, the person may be admitted for inpatient
10 services only pursuant to an application for court-ordered mental
11 health services or emergency detention or an order for protective
12 custody.

13 (c-1) A person younger than 18 years of age may not be
14 involuntarily committed unless provided by this chapter, other
15 state law, or department rule.

16 (d) The administrator of an inpatient or outpatient mental
17 health facility may admit a minor who is 16 years of age or older [~~or~~
18 ~~a person younger than 16 years of age who is or has been married~~] to
19 an inpatient or outpatient mental health facility as a voluntary
20 patient without the consent of the parent, managing conservator, or
21 guardian.

22 SECTION 3. Section 572.002, Health and Safety Code, is
23 amended to read as follows:

24 Sec. 572.002. ADMISSION. The facility administrator or the
25 administrator's authorized, qualified designee may admit a person
26 for whom a proper request for voluntary inpatient or outpatient
27 services is filed if the administrator or the designee determines:

